



PATENT  
Docket No. 255.0001 0122

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Lisa K. Nolan et al. )  
Serial No.: 09/738,599 )  
Confirmation No.: 1240 )  
Filed: December 15, 2000 )  
For: NUCLEIC ACID ENCODING AN AVIAN *E. COLI* ISS POLYPEPTIDE  
AND METHODS OF USE )

Group Art Unit: 1645  
Examiner: unknown

#6  
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INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents  
Washington D.C. 20231

Sir:

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with C.F.R. §§ 1.97 *et. seq.*, the materials enclosed herewith are brought to the attention of the Examiner as possibly being of interest in connection with the above-identified patent application. Consideration of each of the documents listed on the attached 1449 forms is respectfully requested. Pursuant to the provisions of M.P.E.P. §609, Applicants further request that a copy of the 1449 forms, marked as being considered and initialed by the Examiner, be returned with the next Official Communication.

This application is a continuation-in-part of U.S. Patent Application Serial No. 09/282,352 which issued February 13, 2001 as U.S. Patent No. 6,187,321 B1. U.S. Patent No. 6,187,321 B1 is a divisional of U.S. Patent Application Serial No. 09/023,221 which issued July 11, 2000 as U.S. Patent No. 6,087,128. In accordance with 37 C.F.R. §1.98(d), copies of documents previously cited by or submitted to the U.S. Patent Office in connection with Applicants' prior U.S. Patent Nos. 6,187,321 B1 and 6,087,128, are not included herewith.

Applicants also wish to bring to the Examiner's attention to a MPSRCH™ database search result (dated August 27, 1998) comparing the nucleic acid of the *iss* gene of Chuba et al. (*Mol Gen Genet.*, 216(2-3):287-292 (1989)) and that of the Applicants. Since this MPSRCH™

**Information Disclosure Statement**

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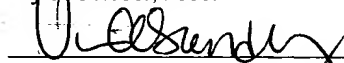
search was cited in the first Office Action of U.S. Patent Application Serial No. 09/023,221 described above, it appears the search was performed by the Examiner; however, this database search was not cited on an 892 form. A copy of the MPSRCH™ search results are provided herewith.

It is believed that no fee is due, as this Information Disclosure Statement is filed prior to the receipt of any Action on the merits. However, in the event a fee is due, please charge any fee or credit any overpayment to Account No. 13-4895.

The Examiner is invited to contact Applicants' Representatives at the below-listed telephone number, if they can be of any assistance during prosecution of the present application.

**CERTIFICATE UNDER 37 C.F.R. 1.8:**

The undersigned hereby certifies that this paper is being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on this 15<sup>th</sup> day of October, 2001.

  
Victoria A. Sandberg

Respectfully submitted for

Nolan et al.

By

Muetting, Raasch & Gebhardt, P.A.

P.O. Box 581415

Minneapolis, MN 55458-1415

Phone: (612)305-1220

Facsimile: (612)305-1228

**Customer Number 26813**

October 15, 2001

Date

VAS:KAH:LMG

By: 

Victoria A. Sandberg

Reg. No. 41,287

Direct Dial (612) 305-1226